

Town of Nantucket Police Department

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FOR IMMEDIATE RELEASE:

Uncovered Load Enforcement
Campaign

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Chief William Pittman has announced that effective Friday, July 1, 2022 the Nantucket Police Department will aggressively enforce Massachusetts laws governing the loading of vehicles to prevent the dropping of trash on the roadways.

MGL c. 85; s. 36 provides in part that "No person shall drive or move a motor vehicle on any way, as defined in section one of chapter ninety, nor shall the owner or bailee of any vehicle require or permit the same to be driven or moved on any such way, unless such vehicle is constructed or loaded so as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, and, if it is loaded with sand, gravel, dirt, stone, rubbish or debris that could fall on other vehicle or on the highway and create litter or potential hazards to other vehicles, unless its load is fully and adequately covered.....Whoever violates the provisions of this section shall be punished by a fine of not less than fifty nor more than two hundred dollars".

The Chief has determined that this aggressive enforcement campaign is necessary after numerous other attempts to address garbage blowing off uncovered loads from commercial and private haulers. Police officers have been engaging with waste haulers in order to gain voluntary compliance with the covering of rubbish hauled to the dump and other waste transfer sites. Despite these efforts and the ongoing educational efforts of the citizen volunteers who comprise the Nantucket Clean Team, the chief has determined that warnings are no longer an effective deterrent. This aggressive enforcement campaign will continue until there is noticeable improvement in the roadside trash situation.

Persons hauling household garbage and other debris should take note that the statute only requires that a police officer determine that rubbish or debris "could" fall on the highway. It does not require that it actually does fall on the highway.

A "Way" is defined in Chapter ninety, section one as any public highway, private way laid out under authority of statute, way dedicated to public use, or way under the control of park commissioners or body having like powers. This covers virtually all roads on Nantucket.

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